

The complaint

Mr A complains that Revolut Ltd ('Revolut') won't refund the money he lost to a job scam.

What happened

The events leading up to this complaint are known to both parties. I won't repeat all the details here.

In summary, Mr A says that in January 2024 he was contacted by an individual (a scammer) about a remote job opportunity with a company (I'll call 'D'). He says that the contact wasn't unexpected as he'd signed up to several recruitment agencies previously – and that he saw this as an opportunity to alleviate financial stress.

For the job itself, it was explained his role as a 'data promotion agent' at D would involve promoting products for various companies to increase exposure. And that he'd earn a salary and commission for completing sets of 'tasks'. To make the scam more convincing he was given access to a professional-looking platform, taken through a KYC process, given some training, added to a group chat for support, and was able to make some withdrawals.

As part of the process, he was required to deposit his own money in the 'work' platform and complete the assigned 'tasks'. These deposits were paid in cryptocurrency. The funds from Revolut were mainly used to buy the cryptocurrency through accounts he held with genuine crypto-exchanges or from sellers in the peer-to-peer market (P2P). It was the cryptocurrency that was lost to the scam. Significant amounts were also sent from other accounts Mr A held with other firms (I'll call 'M' and 'L') and lost to the scam.

Things appeared to be going well at first as his 'earnings' seemed to grow. But he realised he'd been scammed when, having paid what he was led to believe were the fees required, he was repeatedly asked to pay more. When he refused, his account was locked. By that time, however, over £50,000 had been lost to the scam between January and March 2024. Some of the money used to fund the scam was borrowed from family and friends.

A complaint was made to Revolut and referred to our Service. Our Investigator considered it and didn't uphold it. In brief, she noted Mr A had been questioned about the circumstances of some of the payments and he wasn't upfront about what he was really doing. She thought it was unlikely Revolut would have been able to unravel the scam he was falling victim to, even if it had probed and intervened more often than it did. She didn't think it'd be fair and reasonable to hold it liable for Mr A's losses in the circumstances.

As the matter couldn't be resolved informally, it's been passed to me to decide.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so, I've reached the same conclusions as the Investigator. To note, some transactions, that may have been made as part of the scam, may have been missed from the payment list that Mr A submitted with his initial complaint. The Investigator explained in her outcome that, if payments were missed and Mr A wanted them considered, he needed to complain to Revolut directly about them in the first place. I'd suggest he takes into account what I'll explain below before deciding whether that's something he wishes to pursue.

Authorisation

It's not in dispute Mr A was scammed and I'm sorry about the impact the whole experience has had on him. It's also not in dispute that he authorised the payments from his Revolut account. So, although he didn't intend the money to go to a scammer, under the Payment Services Regulations 2017, Mr A is presumed liable for his losses in the first instance. And as the Supreme Court reiterated in *Phillip v Barclays Bank UK PLC*, banks generally have a contractual duty to make payments in compliance with the customer's instructions.

Prevention

There are, however, some situations where I consider that a firm (like Revolut) taking into account relevant rules, codes and best practice, should reasonably have taken a closer look at the circumstances of a payment – if, for example, it's particularly suspicious.

In this case, I agree there was enough about some of Mr A's payments for Revolut to have stepped in on concerns that Mr A may be at a heightened risk of financial harm from fraud – considering, for example, some of their values and the account activity. But I'm not going to go into detail as to when and why I think Revolut ought to have done more because I'm not persuaded that proportionate interventions would have made a difference and prevented Mr A's losses, even if I were to find that Revolut should have intervened more often than it did.

I say this for the following reasons:

- I've seen, from the messages exchanged with the scammer, that Mr A was prepared to follow their instructions and take steps to avoid detection. On 31 January 2024, for example, Mr A told the scammer *"Revolut won't let me transfer anymore...Do you have another way I can pay"*. On 1 February 2024, he told the scammer *"Should I use simplex rather than p2p that would be better and won't trigger the bank...I'll do it in small amounts"*. On 2 February 2024, he told the scammer *"Transfer the money as normal? As a family and friend if it [the bank] asks"*. On 4 February 2024, Mr A asked the scammer *"If I send the money to you can you buy the crypto and put it in my account? Bank may stop it again"*. On 21 February 2024, Mr A said *"I'm trying to get Revolut to stop blocking it...they don't allow the payment to go through without further questions..."*.
- As referred to by the Investigator, Revolut intervened on some payments to question Mr A more about the surrounding circumstances. The evidence in the scam chat shows Mr A was prepared to mislead Revolut about the 'payment purpose' when asked. I can also see that when Mr A was asked to select a 'payment purpose' in the automated payment flow, he selected 'Pay a family member or friend' on a number of occasions. We know now this wasn't true and that the option 'as part of a job opportunity' (closely matching his situation) was available for him to choose from.
- The evidence shows that when Revolut went further and questioned Mr A through its 'live' chat, his responses were again inconsistent with the truth. On 31 January 2024, he told Revolut he'd opened the account *"for purchases and I see the perks of discounted lounge access"*. He said one payment was to *"pay for shoes"*. When Mr A was asked for

evidence in support of what he'd said, he sent Revolut what seems to be a fake screenshot of messages he allegedly exchanged with his 'friend' about that purchase.

- On 22 February 2024, he told Revolut, again in the 'live' chat, he was loaning money to a friend. He sent another screenshot of messages allegedly between him and the 'friend' even though the payment has since been listed as being part of the scam. When Mr A was questioned about some of his payments to crypto-providers, he told Revolut these were for "*investment*" and he wasn't being guided to make them. On one occasion, he went on to say he was buying stablecoins "*so that I can then diversify my portfolio once I have the tether*". He said he intended to keep the funds in his platform while "*I diversify into some other crypto*" to "*then send that to my own private wallet*". He was in turn given warnings relevant to crypto-investment scams which we know didn't resonate.
- When other firms intervened to find out more about the purpose of some payments or to discuss the surrounding circumstances, they too were provided with cover stories all of which were inconsistent with what was happening. For example, when L intervened to ask Mr A about a payment made to Revolut in connection with the scam, he replied he was sending money to benefit from cashback on transactions.

In submissions to our Service Mr A has said that the scammer manipulated him into making payments, warned him against disclosing their true purpose, warned him against disclosing the involvement of a third party; and that he was "*coached by the scammer to lie to bank staff*". I accept that he felt pressured to act quickly without seeking advice and that he was tricked into thinking that he would otherwise lose his funds. At the same time though, I can't overlook that, at no point, was Revolut provided with sufficient information about what he was really doing to then enable it to provide him with a warning relevant to his situation.

I note Mr A's comments that Revolut should have followed up on his responses on some of the payments. But, as already noted, even if I were to agree that Revolut ought to have done more or intervened more often than it did, I'm not convinced this would have led to the scam being exposed – given that, as the evidence shows, Mr A was heavily under the scammer's 'spell' to the extent he was prepared to falsify evidence and mislead it (and others) about what he was doing. Nor can I rule out the possibility of Mr A finding another way to make payments, especially given that various firms were used to make them (new accounts were opened in the process) and the content of his messages with the scammer.

I'm not persuaded by Mr A's suggestion that Revolut's later decision to close his account means it must have known something more – and then failed to act. As I've set out, when Revolut intervened to find out more about some payments, it processed those payments based on the information it had at the time. In any event, for the reasons I've given and considering that payments could have continued from elsewhere, I'm not convinced an earlier account closure would have made a difference to what happened here.

I'm again mindful that Mr A was the victim of a cruel scam. I understand the reasons he's given for the actions he took. I've considered his comments that he was vulnerable and manipulated into thinking he had no option but to follow the scammer's instructions. I also realise the whole experience has affected him deeply. But I don't think it'd be fair to hold Revolut liable for his losses in circumstances where it's unlikely it could have prevented them. For completeness, regarding Mr A's comments on the application of the CRM Code, it's important to note that Revolut wasn't a signatory and the Code doesn't apply to payments sent between a customer's own accounts, or used for the genuine purchase of cryptocurrency, or to payments sent in cryptocurrency.

Recovery

In terms of recovery, there was little Revolut could have done. For the transfers to Mr A's own accounts with legitimate crypto-exchanges, the funds had been moved on from there by the time the scam was reported or they'd have otherwise been available for Mr A to access himself. And for the payments used to purchase cryptocurrency from individuals operating in the P2P market, there wouldn't have been a basis for Revolut to have attempted recovery as there's nothing to suggest the sellers were part of the scam itself.

My final decision

For the reasons I've given, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 2 July 2025.

Thomas Cardia
Ombudsman